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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,410	06/04/2001	Shell S. Simpson	10007651-1	5595

7590 09/08/2004

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER

BAUGH, APRIL L

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/874,410	SIMPSON ET AL.	
	Examiner	Art Unit	
	April L Baugh	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                               |                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20010604</u> . | 6) <input type="checkbox"/> Other: ____                                                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9, 14, and 22-24 rejected under 35 U.S.C. 102(e) as being unpatentable by US Patent No. 6,615,234 to Adamske et al.

Regarding claim 1, Adamske et al. teaches a system for preparing imaging data for printing to a requested web service from an application loaded on a user's computing device, comprising: an imaging client computer having a web browser for printing from the application to the requested web service (column 3, lines 51-55); a personal imaging repository associated with a particular user for storing imaging data that is to be accessed by the requested web service (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27); and, a capture driver for preparing the imaging data for transfer to said personal imaging repository (column 3, lines 56-61 and column 6, lines 34-39); wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet (column 2, lines 8-16 and 19-22 and column 3, lines 64-67).

Regarding claim 14, Adamske et al. teaches a computer for preparing imaging data for printing from an application to a requested web service, comprising: a web browser for printing

Art Unit: 2141

to the requested web service (column 3, lines 51-55); a personal imaging repository associated with a particular user for storing imaging data that is to be accessed by the requested web service (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27); and, a capture driver for preparing the imaging data for transfer to said personal imaging repository (column 3, lines 56-61 and column 6, lines 34-39); wherein said personal imaging repository is an exchange infrastructure between the imaging data and available web services on the Internet (column 2, lines 8-16 and 19-22 and column 3, lines 64-67).

Regarding claim 22, Adamske et al. teaches a computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when executed cause a computer to: transfer the imaging data to an imaging data store (column 4, lines 63-66); create an imaging composition having links to the imaging data stored in the imaging data store; save the imaging composition in a composition store (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27); and, direct a web browser located on the computer to a requested web service (column 3, lines 51-55).

Regarding claim 23, Adamske et al. teaches a computer program product comprising a computer usable medium having computer readable program codes embodied in the medium that when installed in a computer having a web browser linked to a personal imaging repository with an imaging data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, the product causes the computer to: transfer the imaging data to an imaging data store (column 4, lines 63-66); create an imaging composition having links to the imaging data stored in the imaging data store; save the imaging composition in a composition store (column 5, line 65 through column 6, line 8 and

Art Unit: 2141

column 7, lines 4-9 and 16-27); and, direct the web browser to a requested web service (column 3, lines 51-55).

Regarding claim 24, Adamske et al. teaches a driver comprising a computer usable medium having computer readable program codes embodied in the medium that when installed in a computer having a web browser linked to a personal imaging repository with an imaging data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, the driver causes the operating system to: transfer the imaging data to an imaging data store (column 4, lines 63-66); create an imaging composition having links to the imaging data stored in the imaging data store; save the imaging composition in a composition store (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27); and, direct the web browser to a requested web service (column 3, lines 51-55).

Regarding claim 2, Adamske et al. teaches the system as defined in claim 1 wherein said imaging client computer further comprising user information for associating the user with said personal imaging repository (column 7, lines 4-9 and 16-27).

Regarding claim 3, Adamske et al. teaches the system as defined in claim 2 wherein said user information is accessed through an extension component of said web browser (column 7, lines 4-9 and 16-27).

Regarding claim 4, Adamske et al. teaches the system as defined in claim 1 wherein said personal imaging repository stores the imaging data in a plurality of file formats (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

Regarding claim 5, Adamske et al. teaches the system as defined in claim 1 wherein said personal imaging repository comprises an imaging data store for storing imaging data (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

Regarding claim 6, Adamske et al. teaches the system as defined in claim 5 wherein said imaging data store is assigned to the user associated with said personal imaging repository for storing imaging data for user usage (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

Regarding claim 7, Adamske et al. teaches the system as defined in claim 5 wherein said imaging data store is assigned to a web service for storing imaging data available to the public (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

Regarding claim 8, Adamske et al. teaches the system as defined in claim 1 wherein said personal imaging repository comprises a composition store for storing imaging compositions of imaging data serviced as a single unit (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

Regarding claim 9, Adamske et al. teaches the system as defined in claim 8 wherein said imaging composition further comprising a link reference for each imaging data (column 5, line 65 through column 6, line 8 and column 7, lines 4-9 and 16-27).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



Art Unit: 2141

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10-13 and 15-21 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,615,234 to Adamske et al. in view of Stewart et al. (US Patent No. 6,714,964).

Regarding claim 10, Adamske et al. teaches the system as defined in claim 1 wherein said capture driver further comprising: a printer driver for converting the imaging data in a predefined format suitable for printing to a peripheral device (column 3, lines 56-61 and column 6, lines 34-39); an uploader mechanism for storing the imaging data onto said personal imaging repository (column 3, lines 51-55 and column 5, lines 15-16); and, a conversion mechanism for converting the imaging data into a default format of the personal imaging repository (column 2, lines 8-16 and column 6, lines 5-8).

Adamske et al. does not teach a port monitor for directing the imaging data to said personal imaging repository. Stewart et al. teaches a port monitor for directing the imaging data to said personal imaging repository (column 5, lines 42-56 and column 5, line 65 through column 6, line 7 and column 6, lines 20-22). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of Adamske et al. by having a port monitor for directing the imaging data to said personal imaging repository because the port monitor is used to transfer information and for the verification of information.

Regarding claim 15, Adamske et al. teaches a capture driver for preparing the imaging data for printing from an application located on a client computer with a web browser to a



Art Unit: 2141

requested web service, comprising: an uploader mechanism for storing the imaging data into said personal imaging repository (column 3, lines 51-55 and column 5, lines 15-16).

Adamske et al. does not teach a port monitor for directing the imaging data to said personal imaging repository; wherein said port monitor forwards the web browser to the requested web service. Stewart et al. teaches a port monitor for directing the imaging data to said personal imaging repository; wherein said port monitor forwards the web browser to the requested web service (column 5, lines 42-56 and column 5, line 65 through column 6, line 7 and column 6, lines 20-22). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of Adamske et al. by having a port monitor for directing the imaging data to said personal imaging repository; wherein said port monitor forwards the web browser to the requested web service because the port monitor is used to transfer information and for the verification of information.

Regarding claim 17, Adamske et al. teaches a method for preparing imaging data for printing from an application located on a computer with a web browser and a capture driver having a printer driver to a requested web service provided by a web service server, wherein the computer is linked to a personal imaging repository having an imaging data store for storing the imaging data and a composition store for storing imaging compositions having links to the imaging data serviced as a single unit, said method comprising the steps of: transferring the imaging data to the imaging data store (column 4, lines 63-66); creating an imaging composition having links to the imaging data stored in the imaging data store; saving the imaging composition in the composition store (column 5, line 65 through column 6, line 8 and column 7,

Art Unit: 2141

lines 4-9 and 16-27); and, directing the web browser to the requested web service (column 3, lines 51-55).

Adamske et al. does not teach a capture driver having a port monitor. Stewart et al. teaches a capture driver having a port monitor (column 5, lines 42-56 and column 5, line 65 through column 6, line 7 and column 6, lines 20-22). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of Adamske et al. by having a capture driver having a port monitor because the port monitor is used to transfer information and for the verification of information.

Regarding claim 20, Adamske et al. teaches the method according to claim 19 wherein said step of directing the imaging data further comprising the steps of: converting the imaging data in the predefined format to a default format of the imaging data store (column 2, lines 8-16).

Adamske et al. does not teach directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor. Stewart et al. teaches directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor (column 5, lines 42-56 and column 5, line 65 through column 6, line 7 and column 6, lines 20-22). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the system and method for network based document delivery of Adamske et al. by directing the imaging data in the predefined format to the port monitor; receiving the imaging data in the predefined format by the port monitor because the port monitor is used to transfer information and for the verification of information.

Art Unit: 2141

Regarding claim 11, Adamske et al. in view of Stewart et al. teaches the system as defined in claim 10 wherein said predefined format suitable for printing is page description language (column 2, lines 10-14).

Regarding claim 12, Adamske et al. in view of Stewart et al. teaches the system as defined in claim 11 wherein said predefined format suitable for printing is any one from the group consisting of: Postscript Format; Printer Control Language; and, Hewlett Packard Graphics Language (column 2, lines 10-14).

Regarding claim 13, Adamske et al. in view of Stewart et al. teaches the system as defined in claim 10 wherein said default format of said personal imaging repository is any one from the group consisting of: Joint Photographic Experts Group Format; Graphics Interchange Format; Portable Network Graphics Format; Tagged Image File Format; Portable Document Format; and, Microsoft Windows bitmap format (column 5, line 65 through column 6, line 8).

Regarding claim 16, Adamske et al. in view of Stewart et al. teaches the comprising: capture driver as defined in claim 15 further a printer driver for converting the imaging data into a predefined format suitable for printing to a peripheral device (column 3, lines 56-61 and column 6, lines 34-39); and, a conversion mechanism for converting the imaging data into the default format of the personal imaging repository (column 2, lines 8-16 and column 6, lines 5-8).

Regarding claim 18, Adamske et al. in view of Stewart et al. teaches the method according to claim 17 wherein prior to said step of transferring the imaging data further comprising the steps of: directing the imaging data to the operating system by the application; and, directing the imaging data to the printer driver by the operating system (column 3, lines 50-63).

Art Unit: 2141

Regarding claim 19, Adamske et al. in view of Stewart et al. teaches the method according to claim 17 wherein prior to said step transferring the imaging data further comprising the steps of: determining whether the imaging data is in a predefined format suitable for printing to a peripheral device; converting the imaging data to the predefined format when the imaging data is not in the predefined format; and, directing the imaging data in the predefined format to the operating system (column 2, lines 8-16).

Regarding claim 21, Adamske et al. in view of Stewart et al. teaches the method according to claim 17 wherein prior said step of transferring the imaging data further comprising the step of converting the imaging data into a default format of the imaging data store (column 2, lines 8-16).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tonkin, Bresnan et al., Kemp et al., and Hansen et al.

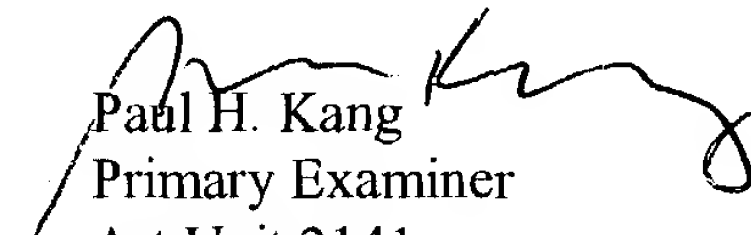
Any inquiry concerning this communication or earlier communications from the examiner should be directed to April L Baugh whose telephone number is 703-305-5317. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul H Kang can be reached on 703-308-6123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2141

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April L Baugh  
Examiner  
Art Unit 2141

  
Paul H. Kang  
Primary Examiner  
Art Unit 2141

ALB